

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOSIAH GALLOWAY,

Plaintiff,

-against-

NASSAU COUNTY, THE INCORPORATED VILLAGE OF HEMPSTEAD, Police Officer STEVEN HOROWITZ, Shield No. 144, Detective MATTHEW ROSS, Shield No. 834, Detective CHARLES DECARO, Shield No. 1047, Detective RONALD LIPSON, Shield No. 1296, Detective THOMAS D'LUGINSKI, Shield No. 7900, Detective GEORGE DARIENZO, Shield No. 1038, Detective KEVIN CUNNINGHAM, Shield No. 112, Detective Sergeant RICHARD DORSI, Detective RENE B. YAO, Detective CARL STRANGE, Shield No. 1225, JOHN and JANE DOE 1-20,

Defendants.

DECLARATION

19-cv-5026 (AMD) (JMW)

BRIAN S. SOKOLOFF, an attorney duly admitted to practice law in this judicial district, hereby affirms, under penalty of perjury, the following:

1. I am a member with the law firm of SOKOLOFF STERN LLP, attorneys for defendants THE COUNTY OF NASSAU, DET. MATTHEW ROSS, DET. CHARLES DECARO, DET. RONALD LIPSON, DET. THOMAS DLUGINSKI, DET. GEORGE DARIENZO, DET. SGT. RICHARD DORSI, DET. RENE YAO, and DET. CARL STRANGE (the “County Defendants”), in the above-captioned action.

2. I submit this declaration in connection with the County Defendants’ Objections to the Memorandum Decision and Order of Magistrate Judge James W. Wicks, dated October 27, 2021, disqualifying counsel for the County Defendants. [DE 137]

3. Annexed hereto are the exhibits submitted in support of the County Defendants’ opposition. Each exhibit is a true and complete copy of what it purports to be:

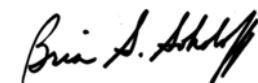
- a. Annexed hereto as Exhibit A is a copy notes created by Nassau Assistant District Attorney Sheryl Anania to describe the investigation of the Nassau County District Attorney's Conviction Integrity Unit into the prosecution of Josiah Galloway and its reasons for seeking his exoneration under N.Y. CPL § 440. These documents appear previously on the Court's docket as DE 134-2 and DE-136-2
- b. Annexed hereto as Exhibit B are excerpts from the transcript of the deposition of Sheryl Anania, taken on September 11, 2020.

WHEREFORE, the County Defendants respectfully ask this Court to reverse the disqualification of counsel in for the County Defendants in DE 137, with such other relief as this Court may deem just, equitable, and proper.

Dated: Carle Place, New York
November 26, 2021

SOKOLOFF STERN LLP
Attorneys for County Defendants

By:



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